IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 20TH SEPTEMBER 2007 / 29TH BHADRA 1929

WP(C).No. 27856 of 2007(N)

PETITIONERS:

---

1. SULAIKHA KOORANKARA, W/O. MUHAMMED SHAJI, AGED 42 YEARS, JUNIOR PUBLIC HEALTH NURSE, PRIMARY HEALTH CENTRE, POZHUTHANA, R/AT ELLIKOTTIL (H), ACHOORNAM POST, VYTHIRI TALUK, WAYANAD DISTRICT.

2. ALCY P.O., W/O. JOSEPH, AGED 50 YEARS, JUNIOR PUBLIC HEALTH NURSE, P.H.C.PORUNNANNOOR, R/AT KALLOLIKKALAYIL (H), NADAVAYAL P.O., NAIKUPPA, PALLUKKALTHOTTIYIL HOUSE, P.O.THARIYODE, 8TH MILE, PUZHUTHANA (VIA), WAYANAD DISTRICT.

3. LALAMMA Y., W/O. PHILIP KURUVILA, AGED 44 YEARS, JUNIOR PUBLIC HEALTH NURSE, PRIMARY HEALTH CENTRE, CHULLIYODE, R/AT THENGUNTHARAYIL HOUSE, VADUVANCHAL P.O., BATHERY TALUK, WAYANAD DISTRICT.

4. ANNAMMA P.N., W/O. P.C.THOMAS, AGED 44 YEARS, JUNIOR PUBLIC HEALTH NURSE, PRIMARY HEALTH CENTRE, POZHUTHANA, R/AT PURAKKAL HOUSE, KAVUMANNAM P.O., KALPETTA, VYTHIRI TALUK, WAYANAD DISTRICT.

5. MARY SEBASTIAN, W/O. BABY THOMAS, AGED 42 YEARS, JUNIOR PUBLIC HEALTH NURSE, C.H.C., MEENANGADI, R/AT PULIKKATHADATHIL, VAZHUVATTA P.O., VYTHIRI TALUK, WAYANAD DISTRICT.

6. PHILOMINA M.S., W/O. JOSE, AGED 42 YRS, JUNIOR PUBLIC HEALTH NURSE, C.H.C. MEENANGADI, R/AT UZHUNNANGAL HOUSE, KARIAMBADI P.O., BATHERY TALUK, WAYANAD DISTRICT.

7. V.D.RADHAMANI, W/O. K.S.PREMARAJAN, AGED 52 YEARS, JUNIOR PUBLIC HEALTH NURSE, P.H.C.CHULLIYODE, R/AT KARIPPADATH HOUSE, AMBALAVAYAL P.O., BATHERY TALUK, WAYANAD DISTRICT.

8. LATHAKUMARI S., W/O. SOMANATHAN,
AGED 42 YEARS, JUNIOR PUBLIC HEALTH NURSE,
P.H.C.AMBALAVAYAL, NEELIYARATH HOUSE,
AMBALAVAYAL P.O., BATHERY TALUK,
WAYANAD DISTRICT.

BY ADV. SRI.GRASHIOUS KURIAKOSE
SMT.CELINE JOSEPH

RESPONDENTS:
---

1. STATE OF KERALA, REP. BY THE
SECRETARY TO GOVERNMENT, DEPARTMENT OF HEALTH
AND FAMILY WELFARE, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF HEALTH SERVICE,
THIRUVANANTHAPURAM.

3. THE DISTRICT MEDICAL OFFICE OF HEALTH,
WAYANAD.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P.(C) No. 27856 of 2007

Dated this the 20th day of September, 2007

JUDGMENT

The petitioners, who are now working as Junior Public Health Nurses in the Health Services Department, claim that they have rendered provisional service in the same cadre, prior to appointment, on advice by the Public Service Commission. According to them, their provisional service was well prior to 1/10/1994. Their claim for regularisation is contained in Exts.P7 to P14 before the first respondent.

2. I have heard the learned Government Pleader as well.

3. The **writ petition is disposed of** directing the first respondent to consider and take appropriate decision on Exts.P7 to P14 keeping in mind the law laid down by the Full Bench in **State of Kerala** v **Ponnamma**(2005 (4) KLT 987) and other judgments which have been referred to therein which the petitioner may place before the first respondent. Decision may be taken within a period of three months from the date of receipt of a copy of this judgment.

V.GIRI, JUDGE

css

: :

: :